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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,113	07/10/2000	Dirk Husemann	SZ-9-99-017 (728-167)	8808

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09/25/2003

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EXAMINER

HUYNH, BA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 09/25/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/613,113

Applicant(s)

HUSEMANN ET AL.

Examiner

Ba Huynh

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.

- 4) ☐ Interview Summary (PTO-413) **BA HUYNH**
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4-6, 9-11, 15-22, 25 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #6,466,971 (Humbleman et al).

- As for claim 1, 16, 25: Humbleman et al teach a computer implement method and corresponding system for controlling a first computer device 14 having limited user interface using a remote second computer 12, whereby computers 14 and 12 communicate via a wireless communication channel (1:61-67) and support a common communication protocol (5:5-17; 6:10-19), the method/system comprising the steps/means for:

transmitting user interface information from the first computer device 14 to the second computer 12 (5:46-50),

providing a user interface at the second computer device corresponding to the user interface information (5:50-54),

receiving user input via the user interface at the second computer 12,

transmitting user command information corresponding to the user input from the second computer to the first computer device, and executing the corresponding user commands at the first computer 14 (5:54-56).

- As for claim 2: The interface information is a standardized user interface description (6:11-19).
- As for claims 4, 17: The wireless communication channel is automatically established between the computers without user intervention (5:45-56).
- As for claims 5, 18: The second computer having a display for displaying the user interface (5:22-26).
- As for claims 6, 19: The second computer 14 comprising a keyboard (5:22-24).
- As for claims 9, 20: The second computer 14 browses the GCO structure data for displaying the user interface (5:47-49).
- As for claim 10: Humpleman's teaching of remote control (1:61-65) implicitly includes a wireless communication protocol for transmitting information between the computers.
- As for claim 11: A HTTP is used for transmitting user command information between the computers (12:6-9).
- As for claims 15, 21: Second computer initiates a request for GUI information (5:46-48).
- As for claim 22: The system further includes a third computer 96, which third computer 14 inherently includes a processor, a transceiver, and a memory for storing user interface information (5:39-64;figure 19).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 7-8, 12-14, 23, 24, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,466,971 (Humpleman et al).

- As for claim 3: Humpleman fails to clearly teach that the second computer transmits a list of services to the first computer prior to the first computer sending user interface information. However it would have been obvious to one of skill in the art, at the time the invention was made, to implement the transmission a list of services from the second computer to the first computer prior to the first computer sending user interface information to Humpleman's teaching of universal remote control. Motivation of the implementation is for advertising to the first computer the type of services the universal remote controller possesses.
- As for claims 7, 8: Humpleman fails to teach that a WML is used for transmitting the user interface information from the first computer to the second computer. However implementation of WML is well known in the art of user interface for devices having limited user input capability. Thus it would have been obvious to one of skill in the art, at the time the invention was made, to combine the well known WML to Humpleman's teaching of transmitting user interface information. Motivation of the

combining is for the advantage of allowing the rendering device the flexibility to render the user interface in the best manner (see US patent #6,446,096, 5:18-29).

- As for claims 12, 13: Humpleman fails to clearly teach the confirmation signal. However it would have been obvious to one of skill in the art, at the time the invention was made, to implement the confirmation signal notifying the user the completion of an executed command.
- As for claim 14: Humpleman fails to clearly teach that the first computer initiates communication. However, it would have been obvious to one of skill in the art, at the time the invention was made, to implement the first computer initiates communication by sending the GUI information. Motivation of the implementation is for speeding up the interaction.
- As for claim 23, 24: User interface information of the first computer 14 (device B) can be stored in an Interface library 80 at the third computer 96 and can be downloaded to second computer 12 (device A) responsive to a query from the second computer (18:25-37; figure 19). Each of the devices includes pointer and handler (16:59-62). Thus it appears that first computer 14 (device B) provides a pointer to second computer 12 (device A) indicating a memory location in the third device 96 where interface information of the first computer 14 is stored so that second computer can retrieved the interface information. Even if it is not, it would have been obvious to one of skill in the art, at the time the invention was made, to implement the providing of the pointer from first device 14 to second computer 12 for indication the store location of the user

information. Motivation of the implementation is for the ease of processing speed by having the data readily available to the second computer.

- As for claim 26: Humpleman et al teach a computer implement method and corresponding system for controlling a first computer device 14 having limited user interface using a remote second computer 12, whereby computers 14 and 12 communicate via a wireless communication channel (1:61-67) and support a common communication protocol (5:5-17; 6:10-19), the method/system comprising the steps/means for:

transmitting user interface information from the first computer device 14 to the second computer 12 (5:46-50),

providing a user interface at the second computer device corresponding to the user interface information (5:50-54),

receiving user input via the user interface at the second computer 12,

transmitting user command information corresponding to the user input from the second computer to the first computer device, and executing the corresponding user commands at the first computer 14 (5:54-56).

Humpleman fails to clearly teach the confirmation signal. However it would have been obvious to one of skill in the art, at the time the invention was made, to implement the confirmation signal notifying the user the completion of an executed command.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (703) 305-9794. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeza can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

Ba Huynh  
Primary Examiner  
AU 2173  
9/13/03

BA HUYNH  
PRIMARY EXAMINER